

EXHIBIT 8

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICHARD ROSARIO,
Plaintiff,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

18-cv-4023 (LGS)

DECLARATION OF SONA R. SHAH

I, SONA R. SHAH, an attorney admitted to practice in the State of New York and the Southern District of New York, submit this declaration under penalty of perjury:

1. I am a senior associate at the firm Neufeld Scheck & Brustin, LLP (“NSB”), with offices at 99 Hudson Street, 8th Floor, New York, New York 10013.
2. I make this declaration in support of an application for attorneys’ fees pursuant to 42 U.S.C. § 1988, covering the hours I expended on this matter. I am fully familiar with the facts discussed herein.

EDUCATION AND EXPERIENCE

3. I graduated from the Fordham University Law School in 1997. After graduating, I worked as an attorney at the Center for Constitutional Rights from 1997-1998. In 1998, I began working as an associate at Zwerling, Schachter & Zwerling, LLP (“ZSZ”). I became Senior Counsel at Zwerling, Schachter and worked there until 2021. My resume is attached as Exhibit A.
4. At NSB, I work almost exclusively on 42 U.S.C. § 1983 civil rights litigation in federal courts around the country. My practice focuses on wrongful conviction cases such as Richard Rosario’s, involving lawsuits against police, prosecutors and/or state and municipal crime lab employees for unconstitutional misconduct. This body of law, arising at the intersection of criminal procedure and civil rights, is relatively new and constantly evolving. To my knowledge,

NSB is the only firm in the nation litigating these issues full time.

5. Generally, all these cases involve procedural defenses such as absolute and qualified immunity and require a nuanced understanding of the differences between what it takes to vacate a criminal conviction and the elements of civil liability. In addition, the cases typically involve the same sets of claims, including for fabrication of evidence, *Brady*, and malicious prosecution, and involve similarly flawed inculpatory evidence, including misidentifications caused by suggestive identification procedures. My focus on these issues at NSB, as well as access to NSB's collective knowledge derived from litigating these cases for over twenty years, made my work on this case much more efficient than it otherwise would have been.

6. On behalf of Plaintiff, I am seeking compensation for my work at a rate of \$450 an hour. In my opinion, this requested rate is reasonable in light of the relevant market and my experience and skill.

WORK IN THIS CASE

7. I am seeking compensation, on behalf of Plaintiff, for the time I spent working on the fee application in this matter from August 2022 to October 2022.

8. My main responsibility in this case was drafting, revising, reviewing, finalizing and supervising the fee petition and supporting materials.

9. As set forth in the billing records attached as Exhibit B, which come from contemporaneously kept timekeeping logs, I am seeking compensation for a total of 55.2 attorney hours in this matter for my work on this fee application.

10. I have reviewed the attached billing record in its entirety, and made an effort to take a conservative and reasonable approach to the total hours for which I seek compensation. In my judgment, each hour set forth in Exhibit B was necessitated by the circumstances and reasonably expended in pursuit of the ultimate favorable outcome in this complicated and important civil rights case.

11. I hereby declare under penalty of perjury that the foregoing is true.

Date: October 7, 2022
New York, NY



SONA R. SHAH

EXHIBIT A

SONA R. SHAH

SENIOR LITIGATION COUNSEL

Skilled and detail-oriented litigator with expertise in civil rights litigation as well as complex civil litigation involving antitrust, consumer protection, and securities laws. Passionately represent clients' interests, working diligently to assess cases' merits and risks, and to propel positive resolutions. Proven ability to work both independently and collaboratively while managing multiple cases and meeting deadlines.

KEY ACCOMPLISHMENTS

Leading member of commercial litigation teams that achieved:

- \$399 million total in settlements in end-payor plaintiff class action against brand name and generic drug manufacturers in action alleging pay-for-delay scheme that violated antitrust laws.
- \$68 million total in settlements in securities fraud class action on behalf of investors, based in part on successfully proving spoliation due to failure to preserve electronically stored information.
- \$80 million limited fund settlement in cases alleging that broker-dealers could be held liable for misrepresentations made in offering documents.
- \$42 million settlement on behalf of investors, in securities fraud class action against an international oil and gas company.

Leading member of civil rights litigation teams that achieved:

- \$12.5 million settlement on behalf of wrongfully convicted plaintiff that served 23 years in prison for a double homicide due to coercive police tactics leading to improper identification.
- \$11.7 million settlement on behalf of wrongfully convicted plaintiff that served 20 years in prison for rape and murder due to coercive police tactics leading to a false confession, before being cleared by DNA evidence.

EXPERTISE

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| • Client Advocacy | • Trial Preparation and Appeals |
| • Litigation Strategy and Management | • Complex Discovery and eDiscovery Management |
| • Legal Research and Analysis | • Federal and State Court Practice |
| • Motion Practice and Brief Writing | |

PUBLIC SERVICE EXPERIENCE

NEUFELD SCHECK & BRUSTIN, LLP, New York, NY

Staff Attorney

2021-present

Represent wrongfully convicted clients in all phases of civil rights litigation. Draft pleadings, dispositive motions, and motions in limine. Take and defend depositions. Train and mentor legal fellows and paralegals to develop litigation skills. Develop and implement in house procedures that are more effective and efficient.

CENTER FOR CONSTITUTIONAL RIGHTS, New York, NY

Attorney

1997–1998

Prepared memoranda regarding issues of constitutional law and procedural issues including the right to freedom of speech in privately-owned shopping centers, the constitutionality of university affirmative action policies, the res judicata effect of class action lawsuits, and the standard for obtaining a preliminary injunction against an Act of Congress. Drafted memoranda and a brief addressing First Amendment protection of whistleblower speech.

PRIVATE PRACTICE EXPERIENCE

ZWERLING, SCHACHTER & ZWERLING, LLP, New York, NY

Senior Counsel (since 2015)

1998–2021

Complex Commercial Litigation

Represent labor unions, local governmental entities, individual investors, and consumers (including AI/AN tribes) in all aspects of litigation against corporate defendants, including pharmaceutical companies and auditors. Prosecute antitrust, RICO, consumer protection, breach of contract and securities fraud class action claims. Oversee or engage in all aspects of litigation including pre-trial investigation, complex motion practice and appellate practice, fact and expert discovery and related disputes, mediation, and settlement negotiations. Collaborate with co-counsel to develop and implement discovery, trial and mediation strategies.

Management & eDiscovery

Supervise, train and mentor young lawyers. Manage all phases of eDiscovery. Develop strategies for the collection, review and production of documents. Interview custodians and identify potential sources of relevant data; develop and negotiate ESI search terms. Oversee eDiscovery vendors and train attorneys to review and code documents. Research and conduct motion practice regarding various discovery issues. Meet and confer with opposing counsel on discovery matters.

Client Advisory

Serve as point person for and manage ongoing client relationships. Advise clients regarding mitigation, risk, initiating litigation and issues in ongoing litigation. Counsel clients regarding strategies for managing ESI, increasing the efficiency of discovery and complying with preservation obligations.

EDUCATION

FORDHAM UNIVERSITY SCHOOL OF LAW

Dean's List

J.D., 1997

NEW YORK UNIVERSITY

Dean's List

B.A., Politics, 1994

BAR ADMISSIONS, PROFESSIONAL AFFILIATIONS & INDUSTRY ENGAGEMENT

New York, New Jersey

Southern and Eastern Districts of New York

Committee to Support Antitrust Laws, Policy Committee (2021)

New York State Bar Association, Antitrust Section, Diversity and Inclusion Committee (2020–2021)

American Antitrust Institute, Judging Committee for Antitrust Enforcement Awards (2018–2020)

American Antitrust Institute, Speaker at Young Lawyers' Panel, 12th Annual Private Antitrust Enforcement Conference (2018)

American Antitrust Institute, Outstanding Antitrust Litigation Achievement by a Young Lawyer (2017)

EXHIBIT B

CHART 1
FEE PETITION HOURS

Date	Person	Client	Activity	Description	Duration	Time Totals
17-Aug-22	Sona Shah	Rosario (Richard)	Phone Call	team call w/ anna, gerardo, cam re fee petition, review emails re same	1:00	1
22-Aug-22	Sona Shah	Rosario (Richard)	Other	review emails re misc fee petition issues	0:30	0.5
23-Aug-22	Sona Shah	Rosario (Richard)	Other	anna, emma, cam re fee petition	0:30	0.5
24-Aug-22	Sona Shah	Rosario (Richard)	Other	Emails re fee petition	1:30	1.5
8-Sep-22	Sona Shah	Rosario (Richard)	Other	emails re fee petition status	0:12	0.2
13-Sep-22	Sona Shah	Rosario (Richard)	Meeting	fee petition meeting w/anna, cam, gerardo and prep for same	1:00	1
14-Sep-22	Sona Shah	Rosario (Richard)	Other	emails w/cam re outstanding fees	0:12	0.2
16-Sep-22	Sona Shah	Rosario (Richard)	Other	team call re rates for fees, review emails re same	0:48	0.8
18-Sep-22	Sona Shah	Rosario (Richard)	Other	review of US claims amounts due and email re same	1:30	1.5
19-Sep-22	Sona Shah	Rosario (Richard)	Phone Call	Team call re fee petition and prep for same	0:42	0.7
20-Sep-22	Sona Shah	Rosario (Richard)	Other	Emails re fee petition, call w cam re same	0:18	0.3
20-Sep-22	Sona Shah	Rosario (Richard)	Phone Call	Team call re rate reasonableness supporting docs	0:12	0.2
22-Sep-22	Sona Shah	Rosario (Richard)	Draft	Draft celli decl re rate reasonableness	1:00	1
22-Sep-22	Sona Shah	Rosario (Richard)	Discovery	Draft celli aff re rate reasonableness	1:00	1
23-Sep-22	Sona Shah	Rosario (Richard)	Phone Call	team call re fee petition and f/u with lucia re hours review	0:42	0.7
28-Sep-22	Sona Shah	Rosario (Richard)	Other	team call re fee petition	0:18	0.3
30-Sep-22	Sona Shah	Rosario (Richard)	Meeting	team call re fee petition	0:30	0.5
30-Sep-22	Sona Shah	Rosario (Richard)	Other	emails and chats re fee petition	0:18	0.3
1-Oct-22	Sona Shah	Rosario (Richard)	Other	draft nsb atty affs for fee petition	2:00	2
2-Oct-22	Sona Shah	Rosario (Richard)	Other	draft nsb atty affs for fee petition	2:00	2
3-Oct-22	Sona Shah	Rosario (Richard)	Draft	team call re fee petition issues, emails re same, draft internal affs re same	8:00	8
4-Oct-22	Sona Shah	Rosario (Richard)	Draft	draft fee app docs, emails and msgs with team	10:00	10
5-Oct-22	Sona Shah	Rosario (Richard)	Draft	draft fee app docs, emails and msgs with team, emails re same w/anna, gerardo, cam; draft page extension request, review/revise/finalize same	14:00	14

6-Oct-22	Sona Shah	Rosario (Richard)	Draft	fee app docs, mtgs, emails chats re same w/gerardo, cam, anna	7:00	7
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Total	55.2
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